

# TURTLE ISLAND RESTORATION NETWORK

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SALMON PROTECTION AND WATERSHED NETWORK (SPAWN)  
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August 28, 2008

Secretary for Resources Mike Chrisman and  
Ocean Protection Council Members  
Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

RE: California's Sea Turtles – the Pacific Leatherback  
and Loggerhead

Action: Request Support from Ocean Protection Council  
To Protect Sea Turtles in Coastal Waters from New  
Longline Fishery

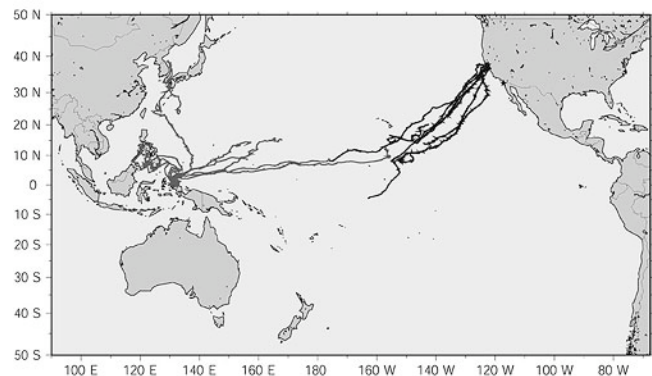


Leatherback on nesting beach. Doug Perrine photo

Dear Secretary Chrisman and members of the Ocean Protection Council,

The sea turtles are coming. In fact, they may already be here, searching for jellyfish in the California Current. Beginning in late summer and through the winter, California is home to two highly threatened species of sea turtle: the *Pacific Leatherback* and the *Pacific Loggerhead*. Our coast contains one of the most important feeding areas in the entire world for leatherbacks and is a critical migratory corridor for loggerheads.

Every year Pacific leatherbacks swim more than 6,000 miles across the ocean from their nesting grounds in Indonesia to our coastal waters. Today this ancient species finds safe harbor in the Pacific Leatherback Conservation Area that extends from Central California to Oregon. For more than 30 years, the state of California has maintained fishery policies that protect endangered sea turtles and other marine life by prohibiting large-scale industrial longline fishing within 200 miles of the coast.



Satellite-tracked leatherback movements from nesting beaches in Papua, Indonesia and from foraging areas off the California coast in 2003-2004 (Dutton et al., unpublished) GMT map by Denise Parker

However, this safe harbor is now being threatened by an unpopular federal fishery plan to open a deadly new longline swordfish fishery within 200 miles of our shores that has never been allowed by the state of California – and was rejected last year with broad opposition from scientists, conservation groups, fishers and the public.

The Ocean Protection Council can help maintain current protections for sea turtles and marine resources that would be harmed by this fishery with a policy statement that supports California's longstanding

commitment to safeguarding sea turtles and the oceans. Turtle Island Restoration Network urges you to consider the following and determine an appropriate course of action.

### California's Sea Turtles – Endangered and Threatened

Pacific leatherback and loggerhead sea turtles are among the most imperiled of any sea turtle population in any ocean basin on Earth.

**Endangered:** The Pacific leatherback—a 100 million year old species that outlived the dinosaurs—has declined by approximately 90% in the last 25 years.<sup>i</sup> All populations of leatherback sea turtles are listed as “endangered” under the U.S. Endangered Species Act (ESA). They are also classified as **critically endangered** by the World Conservation Union (IUCN) Red List of Threatened Species<sup>ii</sup>, which defines critically endangered as a species “facing an extremely high risk of extinction in the wild in the immediate future.”<sup>iii</sup>

In 2008, after decades of population declines at all major leatherback nesting beaches, scientists now estimate there are less than 5,000 adult female Pacific leatherbacks left in the Pacific Ocean.

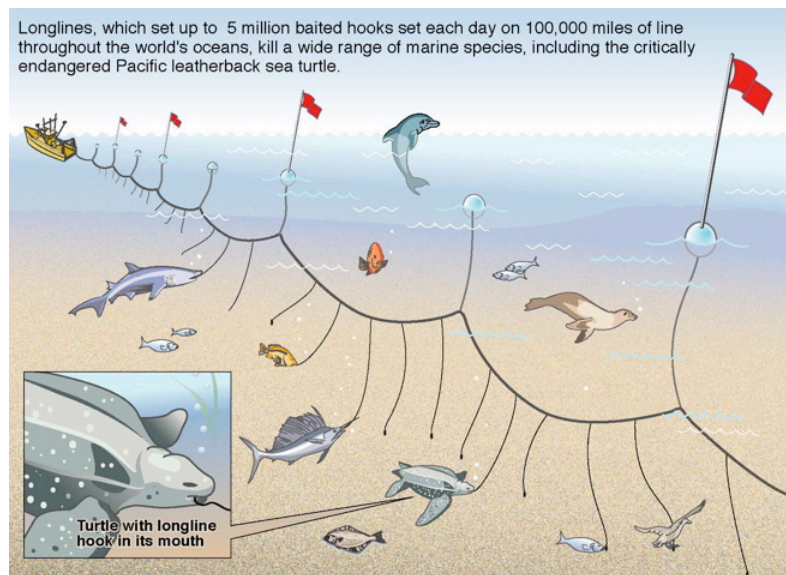
**Threatened:** Pacific loggerheads have declined by at least by 80% since the 1980s.<sup>iv</sup> They are currently listed as “threatened”, but are currently being considered for up-listing to “endangered” under the Endangered Species Act – a decision due in coming months.

### Sea Turtles and Fisheries

The immediate, primary threat to Pacific leatherbacks and loggerheads is drowning and injury from interactions with longline and gillnet fishing gear. Scientists estimate that as many as 50-60% of the remaining Pacific Leatherbacks are caught each year by longline fisherman.<sup>v</sup> In 2000, pelagic longlines in the Pacific captured an estimated 20,000 leatherbacks resulting in the mortality of an estimated 1,000-3,200 leatherbacks.<sup>vi</sup>

Swordfish longline fisheries are particularly threatening to these species. Data collected from fishing vessels has revealed that longlines set to catch swordfish snare leatherback turtles at a 3 times greater, loggerheads at 10 times greater, rate than tuna longlines.<sup>vii</sup>

Catching even small numbers of Pacific leatherbacks and loggerheads has serious consequences for their future survival.



## **West Coast Protections Today**

Gillnet fishing for swordfish is prohibited within the Leatherback Conservation Zone along our coast from August to December to protect sea turtles. As a result, this fishery has not killed any leatherbacks since this went into effect in 2001.

A commercial longline fishery for swordfish and tuna has never been allowed long-term in California within 200 miles of the coast due to the high bycatch levels of non-target fish, sea turtles, and other marine life. So the capture and mortality rate from longline fisheries has been consistently zero.

## **New Threats – Federal Fishery Managers Pushing To Open Deadly Longline Fishery**

The National Marine Fisheries Service (NMFS) and its regional advisory council the Pacific Fisheries Management Council (PFMC) are moving forward with plans to create a new swordfish longline fishery off the California Coast that has the potential to impact marine resources of the state of California. NMFS is expected to publish a final rule approving the permit any day now.

The proposal consists of an “exempted fishing permit” (EFP) for a swordfish fishery within California’s Exclusive Economic Zone (EEZ). This proposal was opposed by the California Department of Fish and Game and the California Coastal Commission in 2007 and was widely opposed by sea turtle biologists, environmental groups, recreational fishing groups and the public.

The federal agency wants to open the door to a new commercial fishery by granting a permit to a single vessel owned by a member of the Pacific Fishery Management Council’s Highly Migratory Species Advisory Subpanel. The effort would then increase in size and scope.

## **Facts about the new fishery permits**

Turtle Island Restoration Network and our coalition of ocean advocacy partners believe that you may share our concerns with proposals are summarized below:

- The State of California has never permitted commercial pelagic longline swordfish fishing in its EEZ and continues to oppose the development of these longline fisheries.
- Recently, the state legislature adopted California Assembly Joint Resolution 62, urging the delay or denial of new West Coast longline fishery permits – which was co-authored by OPC Council Member Assemblyman Pedro Nava and supported and moved by OPC Council Member Senator Darrell Steinberg;
- The EFP faces broad public opposition. The California Legislature, the California Department of Fish and Game, the California Coastal Commission, prominent sea turtle biologists, recreational fishing organizations, a coalition of environmental organizations, and the tens of thousands of citizens oppose the EFP.



Leatherback sea turtle to be cut from hook on longline at fishing vessel. NOAA photo.

- The current proposal would allow pelagic longline fishing into the EEZ along the California and Oregon coast, an area that provides vital habitat for this endangered species on the brink of extinction. Science shows that the cumulative impact of catching even small numbers of Pacific leatherbacks and North Pacific loggerheads can have serious negative consequences for these species' survival.
- The PPMC, NMFS, and California Coastal Commission have all concluded the EFP would NOT provide statistically significant data and would not help fishery managers make science-based future management decisions.
- The EFP would not meet its stated purpose. The National Marine Fisheries Service, the Pacific Fishery Management Council's Scientific and Statistical Advisory Committee, and the California Coastal Commission all agree that the EFP would not generate sufficient statistical data to compare longline and drift gill-net fisheries off the U.S. West coast.
- The EFP would allow longlining inside the Pacific Leatherback Conservation Area (PLCA). This time-area closure to fishing was deemed necessary to maintain the population of Pacific leatherbacks off the U.S. West Coast and protect the species from being caught as by-catch.
- The EFP would also threaten many other vulnerable marine species. Whales, dolphins, sea lions, other marine mammals, and seabirds would also be injured or killed as the result of the EFP.
- Approval of swordfish fisheries would jeopardize vulnerable sea turtle species before pending completion of Endangered Species Act (ESA) petitions to designate waters along the US West Coast as Critical Habitat for Pacific leatherbacks, and to reclassify North Pacific Loggerheads as endangered. Sound science—not a desire to promote fishing—should drive fishing policy on the West Coast.
- Swordfish—the target species of both these fisheries—is known to have high mercury levels hazardous to women and children when eaten. Promoting fishing of this fish is contrary to good public health policy.

Despite the above-mentioned opposition from the California Legislature, California state agencies and overwhelming opposition from the public, scientific, recreational fishing, and environmental community, the Pacific Fisheries Management Council and National Marine Fisheries Service continue to move forward with plans to open harmful a new federal fishery along our Coast.

We are asking your support in the form of a policy statement such as a resolution or letter urging the National Marine Fisheries Service to deny the approval of the new “experimental” longline swordfish fishery. We look forward to working with you on this important marine resource issue.

Sincerely,



Teri Shore  
Program Director

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<sup>1</sup> Rebecca L. Lewison, Sloan A. Freeman & Larry B. Crowder, Quantifying the effects of fisheries on threatened species: the impact of pelagic longlines on logger head and leatherback sea turtles, 7 Ecology Letters 226 (2004).

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<sup>ii</sup> IUCN, IUCN Red List of Threatened Species, *Dermochelys coriacea* <http://www.iucnredlist.org/search/details.php/6494/summ> (August 12, 2008)

<sup>iii</sup> IUCN, IUCN Red List of Threatened Species, The Categories [http://www.iucnredlist.org/info/categories\\_criteria1994#categories](http://www.iucnredlist.org/info/categories_criteria1994#categories) (August 12, 2008)

<sup>iv</sup> Id.

<sup>v</sup> Lewison et al. 2004.

<sup>vi</sup> Lewison et al. 2004.

<sup>vii</sup> SPREP. 2001. A review of turtle bycatch in the western and central Pacific Ocean tuna fisheries. A report prepared for the South Pacific Regional Environment Programme (SPREP) by the Oceanic Fisheries Programme, Secretariat of the Pacific Community (SPC). 26pp.